

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FOR FILING CONTINUATION/DIVISIONAL
APPLICATION UNDER 37 C.F.R. § 1.53(b)

MAIL STOP PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


21839

03807 U.S. PTO
10/627758
07/28/03

Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 C.F.R. § 1.53(b) of pending Application No. PCT/EP02/00852 filed on January 28, 2002, for TREAD WHICH REDUCES RUNNING NOISE, by the following named inventor(s):

- (a) Full Name Didier MARTIN
- (b) Full Name Laurent CLERO
- (c) Full Name Jean-Luc BREDOIRE

☐ Applicant(s) hereby requests that the above-captioned application **NOT BE PUBLISHED** under 35 U.S.C. § 122(b) and 37 C.F.R. § 1.211. The undersigned hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

☒ The entire disclosure of the prior application is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

☐ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.63(d)(2), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application.

- (a) Full Name _____
- (b) Full Name _____
- (c) Full Name _____

☐ This application is being filed by more than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.63(d)(5), a new oath or declaration is enclosed, and the Commissioner is requested to add the name(s) of the following person or persons who are inventors of the invention being claimed in this application.

- (a) Full Name _____
- (b) Full Name _____
- (c) Full Name _____

Request for Filing Continuation/Divisional Application
of Application No. _____

Attorney's Docket No. 033818-007

Page 2

- ☒ Applicant(s) suggests Figure 1 for inclusion on the front page of the patent application publication and/or patent.
- ☒ Applicant(s) requests that the published application include the following assignment information: Michelin Recherche Et Technique S.A., Route Louis Braille 10 Et 12, CH-1763 Granges-Paccot, Switzerland.
1. ☐ Enclosed is a copy of the prior Application No. as originally filed on , including copies of the specification, claims, drawings and the executed oath or declaration as filed.
 2. ☐ Enclosed is a revised prior application and a copy of the prior executed oath or declaration as filed. No new matter has been added to the revised application.
 3. ☐ Small entity status is hereby claimed.
 4. ☒ The filing fee is calculated below ☐ and in accordance with the enclosed preliminary amendment:

C L A I M S					
	NO. OF CLAIMS		EXTRA CLAIMS	RATE	FEE
Basic Application Fee					\$750.00 (1001)
Total Claims	9	MINUS 20 =	0	× \$18.00 (1202) =	0.00
Independent Claims	1	MINUS 3 =	0	× \$84.00 (1201) =	0.00
If multiple dependent claims are presented, add \$280.00 (1203)					0.00
Total Application Fee					750.00
If small entity status is claimed, subtract 50% of Total Application Fee					0.00
Add Assignment Recording Fee of \$ <u> </u> if Assignment document is enclosed					40.00
TOTAL APPLICATION FEE DUE					790.00


5. ☐ This application is being filed without a filing fee. Issuance of a Notice to File Missing Parts of Application is respectfully requested.
6. ☐ Charge \$ to Deposit Account No. 02-4800 for the fee due.
7. ☒ A check in the amount of \$ 790.0 is enclosed for the fee due.
8. ☒ The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

9. ☐ Cancel in this application original claims _ of the prior application before calculating the filing fee.
10. ☐ New drawings are enclosed.
11. ☒ Priority of Application No. 01/01269 filed on January 29, 2001 in France (country) is claimed under 35 U.S.C. § 119.
- ☒ The certified copy of the priority application
- ☒ is enclosed.
- ☐ was filed on _ in prior Application No. _, filed on _, and acknowledged by the Examiner on _ in Paper No. _.
- ☐ has not yet been filed.
12. ☒ Please amend the specification by inserting before the first line the sentence:
- ☒ --This application is a ☒ continuation ☐ divisional of Application No. PCT/EP02/00852, filed on January 28, 2002.--.
- ☐ --This application is a ☐ continuation ☐ divisional of U.S. Application No. _, filed on _, which was a national stage filing under 35 U.S.C. § 371 of International Application No. _ filed on _--.
- ☐ --This application is a ☐ continuation ☐ divisional of U.S. Application No. _, filed on _, which was a continuation of International Application No. _, filed on _--.
13. ☐ A preliminary amendment is enclosed.
14. ☒ An Information Disclosure Statement is enclosed.
15. ☐ A General Authorization for Payment of Fees and Petitions for Extensions of Time is enclosed.
16. ☒ Also enclosed Declaration and Power of Attorney, Assignment document and copy of WO 02/060705 A1, copies of forms IB/304, IPEA/402, IB 332, IPEA/416, and IPEA/409 from corresponding international application.
17. ☐ The power of attorney in the prior application is to _.
- a. ☐ The power appears in the original papers in the prior application.
- b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. ☐ Recognize as Associate Attorney _.

- d. ☒ Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

HAROLD R. BROWN III
BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
Alexandria, Virginia 22313-1404

Date: July 28, 2003

By: 
Harold R. Brown III
Registration No. 36,341

ADDRESS OF SIGNATOR:

BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

☐ inventor(s)
☐ assignee of complete interest
☐ attorney or agent of record
☒ filed under 37 C.F.R. § 1.34(a)